

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
DURHAM DIVISION**

IN RE:

**STEVEN KINGSLEY MATHER
CHRISTY DICKENS MATHER**

**10-81691
CHAPTER 13**

**OBJECTION TO CONFIRMATION AND
OBJECTION TO VALUATION**

COMES NOW Cenlar, FSB, by and through undersigned Counsel, and hereby objects to the confirmation of the Debtors' plan and valuation of the real property. The objection is supported as follows:

1. The Debtors Steven Kingsley Mather and Christy Dickens Mather, filed their Chapter 13 bankruptcy on September 20, 2010, in the Middle District of North Carolina, Durham Division.
2. The petition lists Cenlar, FSB as having a secured claim on the Debtors' principal residence located at 2701 Skybrook Lane, Durham, NC 27703.
3. Cenlar, FSB has filed a Proof of Claim, dated January 24, 2011, in the amount of \$39,427.43.
4. On March 22, 2010, the Debtors filed an amended plan proposing to value the property at \$176,513 and cramdown Cenlar's claim to \$14,897 at the till rate of interest of 5.25% to be paid over the life of the plan.
5. Cenlar, FSB objects to the proposed valuation of the real property.
6. Cenlar further objects to the amended plan as it fails to comply with the provisions of 11 U.S.C. Sec. 1322(b)(2) and 1325. Cenlar reserves the right to raise further objections at the confirmation hearing.

WHEREFORE, Cenlar, FSB prays the Court grant the following relief:

1. Modify the plan to provide for payment of the pre-petition arrears and post-petition payments due to Cenlar, FSB;
2. In the alternative, deny confirmation of the Debtors' Plan for failure to comply with the provisions of 11 U.S.C. Sec. 1325;
3. Grant the creditor's fees of \$300 for this objection;
4. In the alternative, dismiss the Debtors' Chapter 13 Petition;
5. For such other and further relief as this Court deems just and proper.

This the 24th day of March, 2011 S/Tamara R. Cornish
Tamara R. Cornish
N.C. State Bar No.: 39108
Attorney for Creditor
Cenlar FSB
SHAPIRO & INGLE, L.L.P.
10130 Perimeter Parkway, Suite 400
Charlotte, NC 28216
10-008643

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NOTICE

TAKE NOTICE that an objection has been filed by Cenlar, FSB. A copy of the objection accompanies this notice.

TAKE FURTHER NOTICE that a hearing will be held on this objection. The Court will conduct a hearing and provide notice of the time, date and place of hearing.

Dated the 24th day of March, 2011.

S/Tamara R. Cornish
Tamara R. Cornish
N.C. State Bar No.: 39108
Attorney for
Cenlar FSB
SHAPIRO & INGLE, L.L.P.
10130 Perimeter Parkway, Suite 400
Charlotte, NC 28216
(704) 333-8107

Address of Court:
William L. Schwenn
U.S. Bankruptcy Clerk
P.O. Box 26100
Greensboro, NC 27420-6100

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CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing and annexed pleading or paper upon:

(Served via U.S. Mail)
Steven Kingsley Mather and Christy Dickens Mather
P.O. Box 13332
Durham, NC 27709

(Served via Electronic Notification Only)
John T. Orcutt
6616-203 Six Forks Road
Raleigh, NC 27615

(Served via Electronic Notification Only)
Richard M. Hutson, II
302 East Pettigrew St., Suite B-140
P.O. Box 3613
Durham, NC 27702

by depositing the same in a postpaid wrapper properly addressed to each such party or his attorney of record in a post office or other official depository under the exclusive care and custody of the United States Postal Service or by electronic mail, if applicable. Any party that can be served by electronic mail will receive no other form of notice.

This the 24th day of March, 2011.

S/Tamara R. Cornish
Tamara R. Cornish
N.C. State Bar No.: 39108
SHAPIRO & INGLE, L.L.P.
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